

REMARKS

Applicant respectfully requests reconsideration of this application in view of the present amendments and the following remarks. By this amendment, claims 1, 9, 17, 25, 33 and 41 are amended. Claims 50-54 have been added. Upon entry of this amendment, claims 1-54 are pending and at issue, with claims 1, 9, 17, 25, 33, 41 and 50 being independent. The requisite fee for the addition of one independent claim and five total claims is \$176.00 and is being submitted concurrently herewith. In addition, a one month extension with the requisite fee of \$110.00 is also being submitted. If additional fees are due, the Commissioner is authorized to charge such fees to deposit account number 13-2855. A copy of this paper is enclosed.

Amendments to the Claims

It is respectfully submitted that the claims as amended above are supported by the application as originally filed in the Patent Office on January 16, 2001, that the amended claims satisfy the written description requirement and the other requirements of 35 U.S.C. § 112, and that no new matter is being added. Independent claims 1, 9, 17, 25, 33, and 41 are amended hereby to more clearly recite that the bonus game payout occurs in response to the electronic gambling unit detecting a bonus payout dispensing selection by the user at the electronic gambling unit. Revisions to claims 1, 9, 17, 25, 33 and 41 are supported in the specification as originally filed at least in Fig. 11 at block 364 and 366 and in the accompanying text at page 17, line 17 through page 18, line 13 which disclose that bonus game credits may be dispensed independently from other credits based on user preference information input, for example, at an input device or via a player tracking system. Therefore, Applicant respectfully submits that the amendments to claims 1, 9, 17, 25, 33, and 41 do not present new matter or raise new issues.

Newly added claims 50-54 recite, *inter alia*, that the triggering event for the bonus game is independent of the amount wagered. The original application discloses that a triggering event is required to enter the bonus round. However, there is no disclosure that teaches that triggering the bonus round is predicated on a particular wager amount such as a "max bet." For example, the specification at page 12 lines 19-23 and page 14, lines 7-12 discloses that the triggering event may be the occurrence of a particular symbol or symbols,

but does not teach that entry into the bonus game is necessarily contingent on the player wagering a particular amount on the occurrence of the main gambling game. Consequently, Applicant respectfully submits that no new matter is added by the addition of new claims 50-54.

Response to Claim Rejections

In the Office Action dated December 30, 2003, claims 1, 2, 7, 9, 10, 15, 17, 18, 23, 25, 26, 31, 33, 34 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider *et al.* (U.S. Patent No. 6,089,976). Claims 41 and 46 stand rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Schneider *et al.* Claims 48 and 49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider *et al.* Claims 3-5, 11-13, 19-21, 27-29, 35-37, and 42-44 stand rejected 35 U.S.C. § 103(a) as being unpatentable over Schneider *et al.* in view of Walker *et al.* (U.S. Patent No. 6,110,041). Claims 6, 14, 22, 30, 38, and 45 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider *et al.* in view of Burns *et al.* (U.S. Patent No. 6,048,269) and Saunders *et al.* (U.S. Patent No. 6,340,331 B1). Claims 8, 16, 24, 32, 40 and 47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider *et al.* in view of Adams (U.S. Patent No. 6,113,098). Applicant respectfully traverses the rejection of claims 1-49 and respectfully submits that claims 1-58 as amended herein would not be properly rejectable over the applied references for the following reasons.

Regarding the rejections of claims 1-49 in view of Schneider *et al.* either alone or in combination with the other applied references, Applicant respectfully submits that the Schneider *et al.* reference does not disclose or suggest that the bonus game payout occurs in response to the electronic gambling unit detecting a bonus payout dispensing selection by the user at the electronic gambling unit. The Schneider *et al.* reference specifically teaches that the game automatically pays a player or increments a credit meter. At column 2, line 42, Schneider *et al.* teaches that a player continues to select images until two matching bonus amounts are revealed, and that the corresponding bonus amount is then paid to the player or incremented on a credit meter. Schneider *et al.* does not disclose or suggest that the bonus amount may be paid to the player based on the player's selection to have the bonus amount paid as recited in claims 1, 9, 17, 25, 33, and 41 as amended. Because Schneider *et al.*

neither discloses nor suggests a bonus payout dispensing selection by the user as recited in claims 1-49, it follows that the claims are neither anticipated nor rendered obvious by Schneider *et al.*. Moreover, the other applied references also fail to provide the necessary teaching or suggestion of the necessary user selection and, consequently, are not properly combined with Schneider to render claims 1-49 invalid.

Regarding new claims 50-54, the primary reference applied by the Examiner, Schneider *et al.*, does not disclose or suggest entry into a bonus game independent of the amount wagered on the main game as recited in the newly added claims. In column 3, line 22, Schneider *et al.* states that if a winning outcome is obtained on the primary game, a credit meter is incremented and the game determines whether the player has placed a maximum bet and whether the outcome of the primary game is a qualifying one. Continuing in line 27, if the outcome is a qualifying one **and a maximum bet has been placed**, a secondary bonus game replaces the primary game display and allows the player to interact with the game machine by touching images on the screen to reveal bonus amounts associated therewith. Schneider *et al.* reiterates this disclosure in column 5, line 45, stating, “if the outcome is a qualifying one and a max bet has been placed, the primary game display 40 shown in Fig. 1 transforms into the bonus award display 50 shown in Fig. 2.” Therefore, Schneider *et al.* fails to disclose or suggest entry into a bonus game independently of the amount wagered by a player on the main game as recited in claims 50-54. Moreover, the other applied references also fail to provide the necessary teaching or suggestion of entering into a bonus game independently of the amount wagered on the main game and, therefore, are not properly combined with Schneider *et al.* to render claims 50 - 54 invalid. Consequently, the applied references do not appear to render new claims 50-54 anticipated or obvious, and a notice of allowance is respectfully requested at the Examiner’s earliest convenience.

For at least the foregoing reasons, reconsideration and withdrawal of the rejection of the claims and allowance thereof are respectfully requested. Should the Examiner wish to discuss the foregoing or any matter of form in an effort to advance this application towards allowance, he is urged to telephone the undersigned at the indicated number.

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Respectfully submitted,

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